

**UNITED STATES DEPARTMENT OF COMMERCE****United States Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/489,817 01/24/00 RAHMAN M 674509-2022

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HM22/0719

EXAMINER

MCELWAIN, E

ART UNIT PAPER NUMBER

1638

DATE MAILED: 07/19/01

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

The reply filed on May 15, 2001 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): Applicants have elected Group I, claims 1-3. Applicants then cancelled all of the pending claims, including claims 1-3, and submitted new claims 36-109. Applicants then assert that all of the new claims 36-109 would belong as part of Group I. However, clearly claims 36-109 are not all drawn to the invention of Group I, which is drawn to a CC genome. The newly submitted claims include claims that clearly belong to other groups set forth in the restriction requirement, note claims 78-81 drawn to seed oil or seed meal, for example, which are in groups other than Group I in the restriction requirement. Thus, the election of Group I, as set forth in all of the newly submitted claims 36-109 is not fully responsive to the restriction requirement, since it is unclear which invention applicants have elected for prosecution on the merits. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth F. McElwain whose telephone number is (703) 308-1794. The examiner can normally be reached on Tuesday through Friday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Hutzell, can be reached at (703) 308-4310. The fax phone number for this Group is (703) 308-4242. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989).

Serial No. 09/489,817
Art Unit 1638

-3-

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

5

Elizabeth F. McElwain, Ph.D.
July 17, 2001

ELIZABETH F. McELWAIN
PRIMARY EXAMINER
GROUP 1638

Elizabeth F. McElwain